

## **September 12, 2017 Regular Board Meeting**

**MINUTES OF THE MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NY HELD September 12, 2017 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:31P.M....**

**PRESENT: Mr. Michael Eddy, Councilman**

**Mrs. Joan Harris, Councilwoman**

**Mrs. Kathy Templeton, Councilwoman**

**Mrs. Cynthia Hyde, Supervisor**

**ALSO PRESENT: Chris Toya**

**from Integra Lighting**

**RECORDING SECRETARY: Susan E. Staples**

**The meeting was called to order by Cynthia Hyde, Supervisor**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**MOMENT OF SILENCE:** A moment of silence was observed in honor of Tom Lloyd and Judy LaFlure who were valued members of the community who will be missed. A moment of silence was also observed for the victims of the natural disasters that have hit our country.

**REPORTS FROM THE BOARD:** Councilman Eddy spoke about Tom Lloyd and some of his volunteerism for the town. He expressed his wish for the town to send a letter of appreciation to his family in honor of his service to the town. Councilwoman Templeton gave a report on the recent White Space work being done. See attached report.

**Presentation:** A presentation was made by Chris Toya, of Integra LED Lighting, on the potential savings of \$6,500.00 reimbursement that the town could incur by switching over to LED lighting.

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**REPORTS FROM THE BOARD CONTINUED:** **Councilwoman Harris** spoke about the work she has been doing researching several families in town as well as the Women's Place. She also gave a report on the Youth Bureau. A Halloween Party is planned for October 28<sup>th</sup> between 1-3 pm. Supervisor Hyde relayed that the Water System project is complete. Budget work is starting for next year. New benches are now in front of the Town Hall thanks to the Eddy Family. Mike Eddy wanted to point out that it was in large part to Dakota Beadnell. His work marks five generations of volunteerism in town by their family. Work is being done to repair the sign out front of the Town Hall. Dominic Jude is now working as a White Space technician, and is being trained by Mr. Engleman. Mr. Jude will test for signal strength for new potential customers in the target area.

**NEW BUSINESS:** A new TSA contract to cover the period of October 01 through December 31, 2018 is ready. This contract will cover the remainder of the year which had been covered in previously in prior contracts. There has been some discussion about parties versus recreation, and what are appropriate expenditures of the funds. There is a need for another meeting for the Youth Commission. Many people were unable to attend the last meeting. There is a need for a new generator at the Town Hall. The Supervisor has requested four bids for this project. So far she has received one response back. A meeting needs to be set up for the Tentative Budget on October 05, 2017 at 6:30pm. Is there a need for the town to have a policy in place for employees who receive health benefits that would be the same as the Highway Department benefits? Negotiations on the new Union Contract will be starting soon.

**PRIVILEGE OF THE FLOOR:** Privilege of the floor was granted.

### **RESOLUTIONS:**

#### **Resolution # 144**

On a motion made by **Council woman Templeton** and seconded by **Councilwoman Harris**

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### RESOLUTION TO AMEND RESOLUTION #133 AUGUST 08, 2017

The town board of Town of Thurman approves the following amendments to resolution # 133 a resolution to pay claims.

- Voucher # 1164 Cedarwood Engineering Services \$4,200.00 was recoded from H8397.4 to H18397.4 and now has voucher #9 in order to be paid out of the water project checking account instead of the consolidated account.
- Voucher # 1169 John W. Sheehan \$143,184.71 was recoded from H8397.4 to H18397.4 and now has voucher #10 in order to be paid out of the water project checking account instead of the consolidated account.

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

### **Resolution # 145**

On a motion made by **Councilman Eddy** and seconded by **Councilwoman Templeton**

### RESOLUTION TO AMEND RESOLUTION #133 AUGUST 08, 2017

Deduct from the general fund \$267.00 check # 13429 voucher # 1147 and 1148 for Adirondack Technical Solutions which was voided to avoid overpayment. A new check for \$96.00 check # 13490 to Adirondack technical solutions was issued and will appear on Abstract 009.

**Motion Carried:Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

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**Resolution # 146**

On a motion introduced by **Councilwoman Harris** and seconded by **Councilwoman Templeton**

**RESOLUTION AUTHORIZING TSA CONTRACT**

The town board of the Town of Thurman authorizes the supervisor to sign the contract with the Thurman Station Association for the period of October 01, 2017 thru December 31, 2018.

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

**Resolution # 147**

On a motion introduced by **Councilwoman Templeton** and seconded by **Councilwoman Harris**

**RESOLUTION AUTHORIZING REIMBURSEMENT AGREEMENT**

The town board of the Town of Thurman authorizes the supervisor to sign the agreement with Warren County to accept from the county as reimbursement \$1375.00 for providing recreational programs in the town during 2017. The town shall submit a voucher to Warren County for payment.

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

**Resolution # 148**

On a motion introduced by **Councilwoman Harris** and seconded by **Councilman Eddy**

**Resolution to temporarily close C+D**

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The town board of the Town of Thurman temporarily closes the construction and demolition section of the town dump/transfer station beginning on September 30, 2017 until further notice.

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

### **Resolution # 149**

On a motion made introduced by **Councilwoman Templeton** and seconded by **Councilman Eddy**

#### **Resolution to approve meeting minutes**

The town board approves the 08/08/2017 regular meeting minutes and the 08/14/17 special emergency meeting minutes.

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

### **Resolution # 150**

On a motion introduced by **Councilwoman Harris** and seconded by **Councilwoman Templeton**

#### **RESOLUTION TO PAY CLAIMS**

The town board of the Town of Thurman approves Vouchers # 1169 thru # 1238

General Fund ~ \$21,827.10

Highway Fund ~ \$33,052.84

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Enterprise Fund ~ \$2,630.62

Capital Fund Alternative Water Project ~ \$81,261.87

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nay~0**

**Resolution # 151**

On a motion introduced by **Councilwoman Templeton** and seconded by **Councilwoman Harris**

**RESOLUTION INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, titled “TAX LEVY LIMIT OVERRIDE FOR FISCAL YEAR 2018”, be and it hereby is introduced, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing to said proposed local law at the Town Hall, 311 Athol Road, Athol, NY 12810 at 6:30 PM on Monday September 25, 2017 and

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BE IT FURTHER RESOLVED that the Town Clerk shall publish or cause to be published a public notice in the official newspaper of the Town of Thurman no later than five (5) days prior thereto.

**TOWN OF THURMAN**

**TAX LEVY LIMIT OVERRIDE FOR FISCAL YEAR 2018**

**LOCAL LAW NUMBER 1, 2017**

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2018**

**IN THE TOWN OF THURMAN, WARREN COUNTY, NEW YORK TO BE KNOWN AS LOCAL LAW NUMBER 1, 2017, TAX LEVY LIMIT OVERRIDE FOR FISCAL YEAR 2018.**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF THURMAN, WARREN COUNTY, NEW YORK AS FOLLOWS:**

**Section 1. Purpose. The purpose of this law is to override the Town of Thurman's tax levy limit for fiscal year 2018. It is necessary that the Town of Thurman be able to adopt a budget requiring a tax levy greater than the tax levy limit for fiscal year 2018 because of increased costs.**

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**Section 2. Statutory Authority. This Local Law is enacted pursuant to General Municipal Law Section 3-c (5).**

**Section 3. Tax Levy Limit Override. The Town of Thurman hereby overrides its tax levy limit for fiscal year 2018 and is authorized to adopt a budget requiring a tax levy greater than that calculated according to General Municipal Law Section 3-c (3)(c).**

**Section 4. When Effective. This Local Law applies only to fiscal year 2018 and shall take effect upon filing with the Secretary of State.**

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

**ADJOURNMENT:** On A motion introduced by **Councilwoman Harris** and seconded by **Councilwoman Templeton** the meeting was adjourned at 7:55 pm.

**Motion Carried: Ayes~4 Hyde, Eddy, Harris, Templeton, Nays~0**

Respectfully Submitted:

Susan E. Staples



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Town Clerk 09-19-2-17

Attachments

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### September Report to the Board

- 21 August 2017 at approximately 10:30 am Whitespace service was restored to Combs Road subscribers;
- 24 August 2017, I reached out to the Director of Empire State Development. It was my hope to have a phone conference with the Director, myself and the Supervisor. However, the Supervisor had meetings at the county she was obligated to attend and could not be present for the phone conference:
- I went ahead with the conference since budgeting time for the town is fast approaching and answers need to be had;
- 25 August 2017 I spoke with the Director and asked the following questions;
  - \* Can the town require contracts with the Whitespace subscribers?
    - \* Answer
      - \* Yes
  - \* Can the Town adjust monthly subscriber fees to support the Network?
    - \* Answer
      - \* Yes
  - \* What, if anything would the Town be required to pay back to the State if the Town abandons the Network?
    - \*Answer
      - \* \$200,00.00
  - \* Is the Town required to have Insurance on Whitespace equipment?
    - \* Answer
      - \* No
  - \* What would the fiduciary responsibility be to the Town and State as regards penalties, fines, local responsibilities or any other expenses due from the town if the Town privatizes the Network?
    - \* Answer
      - \* Nothing
  - \* What is the length of time of our contract with the State?
    - \*Answer
      - \*2023
    - \*Why longer than 5 years?

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\*Answer

\*Because the former Supervisor requested an extension in writing

\*We are nearing the budget time for the Town, what are the Towns responsibility for marketing the Network?

\*Answer

\*None

\*I discussed with the Director the current situation facing our Town with this network and told her that currently it was not running in the black, but the red.

\*They replied, its running in the deep red and strongly supported the town sells the Network.

In closing, it was stated in my phone conversation with the Director that a subscriber has been making numerous calls to their office on a weekly basis. This subscriber has made claims that they have contracts with the town in their possession and wanted to send them to the Director. The Director replied that they did not want them as their office has no use for them. However, the Director requested that the subscriber give them to the Supervisor of the town. To date no subscriber has provided the town with the contracts the subscriber claims to have. Furthermore, an extensive search of the town hall records contained in the Clerks, former bookkeeper or the Supervisors office have yielded no results of said contracts.

During the phone conversation with the Director I was told that an extension for completion was requested by the former Supervisor: those records have been emailed to the current Supervisor and a hard copy is being sent to the Clerk for preservation in that office. However, a thorough search of two years meeting minutes has not discovered Resolutions or discussion by Board Members about such a request recorded in the Meeting minutes. Therefore, it appears the former Supervisor acted inappropriately on her own to obtain the extension. Did the former board not know about this further obligation the former Supervisor was setting the Town up for? And if the former board did why was there no discussion of it?

Whitespace has the potential to go either way, and it's going to take the effort of those who support it to see its self-sufficiency in the Town. If the subscribers talk

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to their neighbors about the benefits of Whitespace and get them to sign on, Whitespace will prosper, if they don't, it will not.